

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
BUREAU OF HEALTH SYSTEM REGULATION
DIVISION OF MEDICAL QUALITY ASSURANCE

In re:

Paul R. Sheltz, N.H.A.

Petition No. 850903-36-005

CONSENT ORDER

WHEREAS, Paul R. Sheltz of 210 Misty Meadow Lane, South Windsor, Connecticut has been issued license number 117 to practice as a Nursing Home Administrator by the Department of Health Services pursuant to Chapter 368v of the General Statutes of Connecticut, as amended; and

WHEREAS, Paul R. Sheltz hereby admits and acknowledges that:

1. At all times herein complained of he was the Administrator at Manchester Manor, 385 West Center Street, Manchester, CT.
2. On January 31, 1985 an administrative hearing was held to determine whether Manchester Manor had violated §19a-533 of the Connecticut General Statutes by discriminating against patients on the basis of source of payment.
3. In his Memorandum of Decision the Hearing Officer on April 24, 1985 found that Manchester Manor had discriminated against indigent patients in violation of Connecticut General Statutes §19a-533. The findings of fact, in part, were as follows:
 - a. On two separate occasions in 1984 Manchester Manor denied admission to indigent patients because they were Title 19 (Medicaid) patients.

- b. In June 22, 1984 and July 6, 1984, Manchester Manor failed to comply with the waiting list and daily log requirements, thereby violating Connecticut General Statutes §19a-533.
 - c. Manchester Manor in 1984 exhibited a pattern of discrimination against Title 19 (Medicaid) applicants.
4. Pursuant to Connecticut Public Health Code §19-13-D8t(f)(3) as Administrator of Manchester Manor, he was responsible for the overall management of the facility including but not limited to the enforcement of any applicable local, state and federal regulations.
 5. By virtue of the conduct and/or omissions set forth above in paragraph 1 through 4, he violated §19a-517 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-17 and §19a-517 of the Connecticut General Statutes, Paul R. Sheltz hereby stipulates and agrees to the following:

1. That he waives the right to a hearing on the merits of this matter.
2. That he understands that notice of this Consent Order is a matter of public record.
3. That he is hereby censured.
4. That he is hereby assessed a civil penalty of \$200.00 Said fine is to be paid to:

appeal Treasurer, State of Connecticut
 Department of Health Services
one Public Health Hearing Office
 150 Washington Street
office Hartford, Connecticut 06106

under

State

A certified check for said amount is to be received within 14 days of receipt of notice that this Consent Order has been approved and accepted by the Commissioner of the Department of Health Services or his duly appointed agent.

5. From this point in time and at times in the future, he as a Nursing Home Administrator shall cease and desist from discriminating against indigent patients/applicants based on source of payment. He as a Nursing Home Administrator shall insure that the facility which he administers complies with the requirements of §19a-533 of the Connecticut General Statutes and the regulations promulgated thereunder.
6. Nothing in this Consent Order shall be construed as limiting the powers of the Department of Health Services pursuant to §4-182c of the Connecticut General Statutes.
7. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Commissioner of the Department of Health Services arising out of a subsequent series of facts (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §19a-517 of the General Statutes of Connecticut, as amended, is at issue.
8. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive him of any rights that he may have under the laws of the State of Connecticut or of the United States.

9. That this Consent Order is effective on the date said Consent Order is ordered and accepted by the Department of Health Services.
10. That he understands that he has the right to consult with an attorney prior to signing this document.

I, Paul R. Sheltz, have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Paul R. Sheltz
Paul R. Sheltz

Subscribed and sworn to before me this 18th day of September 1986.

[Signature]
~~Notary Public or person authorized~~
by law to administer an oath or
affirmation Commissioner of
Superior Court

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Health Services on the 24th day of September 1986, it is hereby ordered and accepted.

[Signature]
Stanley K. Peck, Director
Division of Medical Quality Assurance

GM:aw
co:sheltz
col9